

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK**

SARA COOMBS-MORENO, REMO DELLO IOIO,
ELIZBETH LOIACONO, SUZANNE DEEGAN,
MARITZA ROMERO, JULIA HARDING, CHRISTINE
O'REILLY, AYSE P. USTARES, JESUS COOMBS,
ANGELA VELEZ, SANCHIA BROWNE, AMOURA
BRYAN, ZENA WOUADJOU, CHARISSE RIDULFO,
TRACY-ANN FRANCIS MARTIN, KAREEM
CAMPBELL, MICHELLE HEMMINGS HARRINGTON,
MARK MAYNE, CARLA GRANT, OPHELA INNISS,
CASSANDRA CHANDLER, AURA MOODY, EVELYN
ZAPATA, SEAN MILAN, SONIA HERNANDEZ,
BRUCE REID, JOSEPH RULLO, AND CURTIS BOYCE,
JOSEPH SAVIANO, MONIQUE MORE, NATALYA
HOGAN, JESSICA CSEPKU, ROSEANNE
MUSTACCHIA, YULONDA SMITH, MARIA FIGARO,
RASHEEN ODOM, FRANKIE TROTMAN, EDWARD
WEBER, MERVILYN WALLEN, PAULA SMITH,
CHRISTIAN MURILLO, LYND SAY WANSER,
JOSEPH SAVIANO, MARVILYN WALLEN,
CHRISTIAN MURILLO, DAWN SCHOL, SUZANNE
SCHROETER, SARAH WIESEL, ALTHEA BRISSETT,
TRACEY HOWARD, MARC ROSIELLO, AUDREY
DENNIS, MARIE JOSEPH, PATRICIA CATOIRE,
SALLY MUSSAFI, COLETTE CAESAR, BERTRAM
SCOTT, DIANE PAGEN, STELLA M. PRESTON,
RACHELLE GARCIA, JULIE LAWLEY, SUSANNE
PHILLIP, MARIA ESTRADA, JENNETTE FRAZER,
AND DEBBY HARTZ individually and on behalf of
similarly situated individuals,

Plaintiffs,

v.

THE CITY OF NEW YORK, MAYOR ERIC L. ADAMS,
FORMER MAYOR BILL deBLASIO,
COMMISSIONER ASHWIN VASAN, MD, PHD, AND
FORMER COMMISSIONER DAVE A. CHOKSHI, M.D.,
MSC., DEPARTMENT OF HEALTH AND MENTAL
HYGIENE, DEPARTMENT OF EDUCATION AND
DOES 1-20

Defendants

**REQUEST FOR F.R.C.P. RULE 16
PRETRIAL CONFERENCE**

INDEX No.:1:22 CV 02234-EK-LB

Plaintiffs, by and through their counsel of record, hereby requests the Court to set a Pre-trial conference hearing pursuant to F.R.C.P. Rule 16(a)(1)–(4). The original Complaint in this case was filed on April 19, 2022. While this case is based exclusively on federal questions of law, Plaintiffs would like to propound some **very limited** discovery on Defendants to support their damages claim. Plaintiffs, however, do not want to propound any discovery without discussion with this Court regarding scope and timing of response so that the propounding of discovery does not instigate any wasteful motions, like a motion for protective order or a motion to strike nor cause any further delays that would distract from the urgency of the resolution of the existing pending motion listed below.

	<u>Pending Motions</u>	<u>Party</u>	<u>Filing Date</u>	<u>Response Date</u>	<u>Reply Date</u>	<u>Renewed Date</u>	<u>Response Date</u>	<u>Reply Date</u>
1.	Motion to Dismiss ECF #47	Def. NYC	3/8/2023	3/28/2023 Plaintiff ECF #52	4/3/2023 Def. ECF #56	Def. Renewed Motion to Dismiss 4 th Amend Complaint 2/1/2024 ECF # 90	Pl. Response To Renewed Motion to Dismiss 2/11/2024 ECF #91	Def. Reply Renewed Motion to Dismiss 3/4/2024 ECF #95
2.	Proposed Letter Motion for Summary Declaratory Judgment and Class Certification Pl. ECF #60 Proposed Draft MSJ ECF #57	Plaintiff	5/26/2023					
3.	Rule 11 Sanctions Motion ECF #64	Plaintiff	7/10/2023	8/14/2023 Def. ECF #69	8/15/2023 Pl. ECF #70			
4.	Motion to Amend Complaint ECF #73	Plaintiff	8/24/2023	Motion To File 4th Amended Complaint Granted 1/10/2024	4th Amended Complaint Filed 1/22/2024 ECF #88			
5.	Rule 60(B)(3) Motion to Set- Aside For Fraud On the Court ECF #74 Expedited Ruling requested	Plaintiff	8/24/2023	9/7/2023 Def. ECF #76	9/29/2023 Pl. ECF #79			

The parties have not exchanged any Rule 26.1 Disclosures, except that Plaintiffs have disclosed affidavits of many of the Plaintiffs regarding their damage's claims. Specifically, Plaintiffs not only seek damages in the form of back pay, but also they seek back pay of retirement benefits, health insurance benefits, restoration of retirement tenure status and removal of problem codes and information regarding the total number of employees granted religious or medical exemptions compared to the number of exemptions demanded by demographic (which information also supports Plaintiffs damages claim). Therefore, a Pretrial Conference is needed to discuss scope and deadlines that will not interfere with this Court ruling on the pending motions listed above.

In summary, a pre-trial conference would improve the quality of the trial of the case through more thorough preparation, discourage wasteful pretrial motions, and assist in the expediting the disposition of this case.

Dated: March 20, 2024

Respectfully submitted,
/s/ *Jo Saint-George*

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